

## Fields, Annette

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**From:** Armstrong, Gregory  
**Sent:** Monday, December 3, 2018 10:47 AM  
**To:** Fields, Annette  
**Subject:** FW: Attorney and EPA request.  
**Attachments:** AttorneyEPM Request Form.docx; ATT00001.htm; Slag Dump Site Report Final.docx; ATT00002.htm

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**From:** Taylor, Matt  
**Sent:** Wednesday, November 28, 2018 2:36 PM  
**To:** Johnson, MaryC <Johnson.MaryC@epa.gov>; Clay, David <Clay.David@epa.gov>; Armstrong, Gregory <Armstrong.Greg@epa.gov>; Mann, Teresa <Mann.Teresa@epa.gov>  
**Cc:** Berry, Chuck <Berry.Chuck@epa.gov>  
**Subject:** Fwd: Attorney and EPA request.

Please see attached request.

Sent from my iPhone

Begin forwarded message:

**From:** "Berry, Chuck" <Berry.Chuck@epa.gov>  
**Date:** November 19, 2018 at 4:05:15 PM EST  
**To:** "Taylor, Matt" <Taylor.Matt@epa.gov>  
**Subject:** Attorney and EPA request.

Officially requesting attorney and EPM.

**Chuck Berry**  
On-Scene Coordinator  
EPA R4 Superfund  
404.562.8278 (Office)  
404.859.0970 (Cell)

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**From:** Taylor, Matt  
**Sent:** Monday, November 19, 2018 3:54 PM  
**To:** Berry, Chuck <Berry.Chuck@epa.gov>  
**Cc:** Patel, Subash <Patel.Subash@epa.gov>  
**Subject:** Re: Slag and heavy metal in West Atlanta

Work with Subash to train Geolie on RSEs. This is a good one on how historical info helps guide an RSE.  
I'm off to dinner at Cruz Bay, talk to you next week.

Sent from my iPhone

On Nov 19, 2018, at 4:45 PM, Berry, Chuck <Berry.Chuck@epa.gov> wrote:



Thanks. As discussed, I'm in. But this really might be bigger than one lot. In my research, I found the source of the slag – the lot next door. Seems like in 2008, at the height of the real estate bubble, they developed the lot to the north. As part of that, they excavated the footprint for the foundation. The spoils were dumped on the subject lot. You can clearly see it all in the Google Earth history slider. And the piles on the lot are all skid-steer sized piles, not truck loads.

So the question becomes “Where did the slag on the other lot come from?” I'm kind of afraid to answer it.

After Thanksgiving, I'll open up a TDD with sTART and begin some property research. Maybe the City has some lots we can use as surrogates. Lets talk then.

**Chuck Berry**  
On-Scene Coordinator  
EPA R4 Superfund  
404.562.8278 (Office)  
404.859.0970 (Cell)

**From:** Taylor, Matt  
**Sent:** Monday, November 19, 2018 3:32 PM  
**To:** Hayes, David <[David.Hayes@dnr.ga.gov](mailto:David.Hayes@dnr.ga.gov)>  
**Cc:** Webster, James <[Webster.James@epa.gov](mailto:Webster.James@epa.gov)>; Metzger, Jason <[Jason.Metzger@dnr.ga.gov](mailto:Jason.Metzger@dnr.ga.gov)>; Lucas, William <[william.lucas@dnr.ga.gov](mailto:william.lucas@dnr.ga.gov)>; Frederick, Tim <[Frederick.Tim@epa.gov](mailto:Frederick.Tim@epa.gov)>; Berry, Chuck <[Berry.Chuck@epa.gov](mailto:Berry.Chuck@epa.gov)>; McGuire, Jim <[McGuire.Jim@epa.gov](mailto:McGuire.Jim@epa.gov)>  
**Subject:** Re: Slag and heavy metal in West Atlanta

Thank you. We will assign an On-Scene Coordinator (OSC) to evaluate the Site for a potential time-critical removal action. Chuck Berry, OSC, will most likely be assigned. Once I'm back in the office next week, I'll confirm.

Sent from my iPhone

On Nov 19, 2018, at 1:10 PM, Hayes, David <[David.Hayes@dnr.ga.gov](mailto:David.Hayes@dnr.ga.gov)> wrote:

Jim and Matt,

Please see the attached letter from GA EPD regarding this site. A paper copy is being sent to Jim via U.S. Mail.

David

**David Hayes** | Unit Coordinator  
Georgia Environmental Protection Division | Land Protection Branch  
Response and Remediation Program | Voluntary Remediation Unit  
404.657.8672

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**From:** Taylor, Matt [<mailto:Taylor.Matt@epa.gov>]  
**Sent:** Wednesday, November 7, 2018 8:07 AM

**To:** Metzger, Jason  
**Cc:** Webster, James; McGuire, Jim; Frederick, Tim; Adams, Glenn; Gaughan, Perry; Hayes, David  
**Subject:** RE: Slag and heavy metal in West Atlanta

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jason,

Jim Webster, Tim Frederick and I are available at 11 am to discuss options. What number would you like us to call for the meeting?

Thanks, Matt

Matthew W. Taylor, Chief  
Removal Operations Section  
Superfund Division  
404-562-8759

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**From:** Metzger, Jason <[Jason.Metzger@dnr.ga.gov](mailto:Jason.Metzger@dnr.ga.gov)>  
**Sent:** Tuesday, November 6, 2018 6:20 PM  
**To:** Taylor, Matt <[Taylor.Matt@epa.gov](mailto:Taylor.Matt@epa.gov)>  
**Cc:** Webster, James <[Webster.James@epa.gov](mailto:Webster.James@epa.gov)>; McGuire, Jim <[McGuire.Jim@epa.gov](mailto:McGuire.Jim@epa.gov)>; Frederick, Tim <[Frederick.Tim@epa.gov](mailto:Frederick.Tim@epa.gov)>; Adams, Glenn <[Adams.Glenn@epa.gov](mailto:Adams.Glenn@epa.gov)>; Gaughan, Perry <[Gaughan.Perry@epa.gov](mailto:Gaughan.Perry@epa.gov)>; Hayes, David <[David.Hayes@dnr.ga.gov](mailto:David.Hayes@dnr.ga.gov)>  
**Subject:** RE: Slag and heavy metal in West Atlanta

Hello Matt,  
Dave and I have discussed with Chuck Mueller, LPB Branch Chief, and would like to discuss options with you, Tim, and whomever else is appropriate. Are you available for a call tomorrow (Wednesday) at 11:00? If not, our team is available Friday after 12:00. Please let me know what works best for you. Thanks.  
Jason

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**From:** Metzger, Jason  
**Sent:** Thursday, November 1, 2018 5:51 PM  
**To:** 'Taylor, Matt'; Mueller, Chuck; Hayes, David  
**Cc:** Webster, James; McGuire, Jim; Frederick, Tim; Adams, Glenn; Gaughan, Perry  
**Subject:** RE: Slag and heavy metal in West Atlanta

Hello Matt,  
Thank you for providing this information and for the offer to provide assistance. We'll review this and get back in touch with you next week to discuss the best path forward.

Jason Metzger

Program Manager  
Georgia Environmental Protection Division  
Land Protection Branch - Response and Remediation Program  
(404) 657-8606  
[jmetzger@gaepd.org](mailto:jmetzger@gaepd.org)

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**From:** Taylor, Matt [<mailto:Taylor.Matt@epa.gov>]  
**Sent:** Wednesday, October 31, 2018 2:34 PM  
**To:** Mueller, Chuck; Metzger, Jason; Hayes, David  
**Cc:** Webster, James; McGuire, Jim; Frederick, Tim; Adams, Glenn;  
Gaughan, Perry  
**Subject:** Slag and heavy metal in West Atlanta

<p><b>CAUTION:</b> This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.</p>
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Chuck and Jason,

I briefly spoke with David Hayes, GA EPD this afternoon and needed to pass along the attached report from the Saikawa Lab at Emory University. The Saikawa Lab at Emory has been taking soil samples from Western Atlanta urban growing spaces and lawns to test for heavy metal concentrations and bioavailability. The Emory students have been consulting with Tim Fredericks, EPA Risk Assessor, to determine the best sampling methods with an XRF. The results of the XRF sampling showed elevated levels of lead and arsenic above EPA removal management levels for residential properties (400 and 68 ppm respectively). Contamination seems to be from slag piles in the area.

Since this is not an EPA sampling event, I wanted relay this information to GA EPD. Once you have time to review the information, we can set up a meeting or conference call to determine the next steps. EPA will be happy to provide any assistance. If you have further questions about the sampling event or data, Tim Fredericks phone number is 404-562-8598. And if you have any questions on how EPA may provide assistance, please contact me at 404-562-8759.

Thanks, Matt

Matthew W. Taylor, Chief  
Removal Operations Section  
Superfund Division  
404-562-8759

<2018-11-15 site referral letter to EPA.pdf>

## CERCLA Request for an Attorney and/or EPM

- ☒ Attorney  
☒ EPM
- 

### Site Name and Brief History:

ELM STREET LEAD – While performing a University class study, Emory University students discovered elevated lead and arsenic levels in urban residential soil in Northwest Atlanta. After further investigation on their part, slag piles were discovered on a nearby empty lot. The slag appears to have been dumped on the lot during construction of the house on the neighboring lot to the north in 2007-8.

Site ID #:

RPM/OSC: C. Berry

Phone Numbers: Office: 2-8278

Cell: 404.859.0970

Site address: 395 Elm Street NW, Atlanta, GA

Constituents of concern: Lead, arsenic

Threat posed: direct contact

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### SERVICES NEEDED (check requested needs):

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Site Access  | <input checked="" type="checkbox"/> Prospective Purchaser Interest |
| <input checked="" type="checkbox"/> Title Search | <input type="checkbox"/>   |
| <input checked="" type="checkbox"/> PRP Search   | <input type="checkbox"/>   |
| <input type="checkbox"/> IC Issue                |  |
| <input type="checkbox"/> Other (specify):        |  |
- 

### SPECIAL INSTRUCTIONS:

It is unknown if the 2 lots were owned by the same entity in 2008 when the dumping occurred. It is also unknown where the slag on the improved lot originated. The impacted Lot was purchased several times since the slag appeared in 2008. I would like complete ownership histories going back to pre-2008 for both lots. I also need to see if the current owners qualify for a prospective purchaser as it's residential property with no expectation of contamination. I received 2 phone numbers from the Emory students (I have no idea where they got them) and called. I left a message on one (with a generic outgoing message) and the other mailbox was not set up. I'm including Emory's write up here as well.

PLEASE NOTE: this will probably eventually be an investigation into much more than just 1 lot. I'm really curious about the origin of the slag and if there's a significant neighborhood-wide problem from free fill before slag was regulated.

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Known Owner/Operators:

The owners of the site are listed as (b)(6) Personal Privacy, (b)(6) Personal Privacy, (b)(6) Personal Privacy. We have attempted to contact both of them at the following phone numbers with no success: (b)(6) Personal Privacy.

Known PRPS:

Contact Person:  
Phone Numbers:

Assigned  
12/3/18

OSC: Chuck  
Berry  
Atty: John  
Shuesely

Elm Street Lead

## Slag Dump Site Report

(b)(6) [redacted], Emory University  
Personal

### Project Overview

The Saikawa Lab at Emory has been taking soil samples from Western Atlanta urban growing spaces and lawns to test for heavy metal concentrations and bioavailability. All samples were taken using the incremental sampling method and analyzed via X-Ray Fluorescence (XRF), in consultation with the Environmental Protection Agency. Three samples were taken from each location, and each sample was comprised of 30 subsamples. Soil was dried and sieved at 150  $\mu$ m before analysis. Each sample was measured at least 4 times with the XRF maintaining a relative standard deviation of 25% or less. The reported concentration was the 95% Upper Confidence Limit (UCL) of the mean of the multiple XRF readings. Rural background samples were taken by the Saikawa group at one garden and 2 farms outside the Interstate 285 perimeter.

During a tomato festival and soil shop, a community partner brought a piece of slag from near one of our sampling sites on Elm St. to our attention (Figure 1). This led to us finding an empty lot, which served as a dump site for slag. The owners of the site are listed as (b)(6) Personal Privacy (b)(6) Personal Privacy, (b)(6) Personal Privacy. We have attempted to contact both of them at the following phone numbers with no success; (b)(6) Personal Privacy.

We analyzed slag and soil from the empty lot and surrounding area. Below are summarized results of the total dataset that includes 342 soil samples from urban and rural background locations.

Lead (Pb), Arsenic (As), and chromium (Cr) mean 95% upper confidence levels (UCL) were significantly elevated in slag and soil near slag compared to other urban soil samples (Table 1). The average UCL concentration of Pb in slag and in soil near slag was 2741 and 1980 ppm, respectively, compared to an average of 147 ppm in other urban locations. The average UCL concentration of As in slag and in soil near slag was 297 and 77 ppm, respectively, compared to 7.4 ppm in other urban locations. The average UCL concentration of Cr in slag and in soil near slag was 357 and 126 ppm, respectively, compared to 58 ppm in other urban locations. These concentrations for Pb and As are much higher than the EPA screening levels for residential soil (400 and 68 ppm respectively). Additionally, this soil is in the "high risk" category of >1,200 ppm for Pb in gardening soil (USEPA, 2013). Importantly, Cr reported is total Cr, not Cr(VI). Without a known source of Cr(VI), it is unlikely these concentrations of Cr (III) alone would pose a significant health risk.

Beyond these 3 high priority metals, a summary of all metals that were significantly higher in slag or slag soils compared to other urban samples can be found in Figure 2. Not pictured are Fe and S due to scale differences. The average UCL concentration of Fe in slag and in soil near slag was 297,153 and 53,016 ppm, respectively, compared to 25,655 ppm in other urban locations. The average UCL concentration of S in slag and in soil near slag was 7,495 and 1,971 ppm, respectively, compared to 607 ppm in other urban locations.

Figure 1: Site Location, 395 Elm St. NW

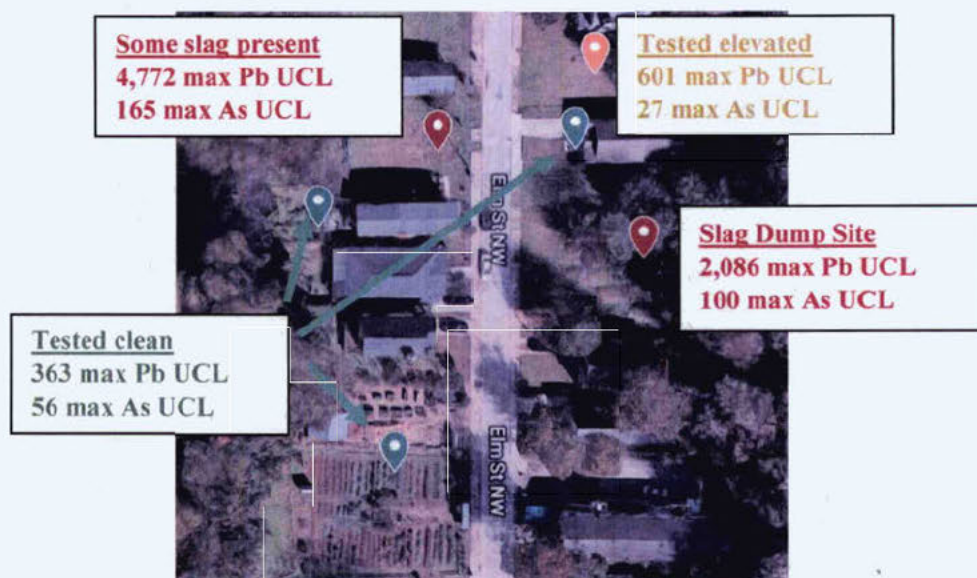


Table 1: Testing Results for High Priority Metals\*

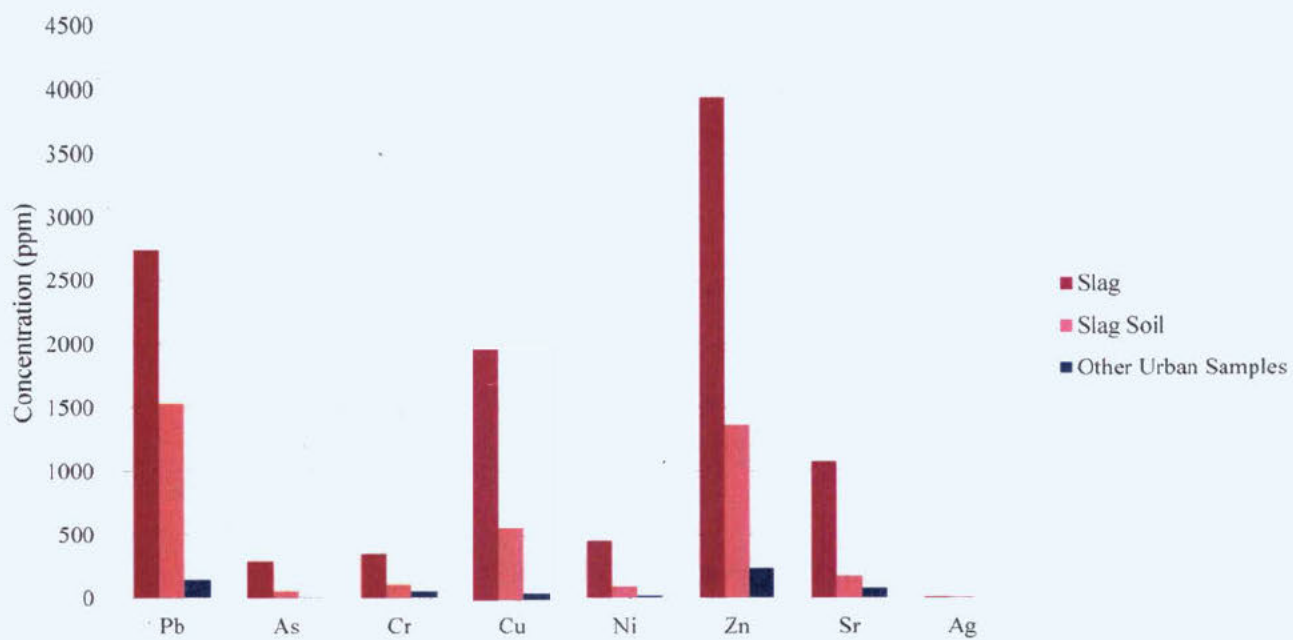
Source (N)	Pb Min, Mean, Max UCL	As Min, Mean, Max UCL	Cr Min, Mean, Max UCL
Slag (7)	63, 2741, 6133	7.8, 297, 683	133, 357, 861
Soil Beneath Slag (9)	128, 1980, 4772	0, 77, 165	73, 126, 179
Other Urban Samples (287)	4.2, 147, 1280	0, 7.4, 116	0, 58, 222
Rural Background (39)	0, 26, 118	0, 1.6, 7.4	0, 54, 110

\*All values do not yet account for calibration curve adjustments. This will be calculated for final reports and analysis. Values shown in Table 1 are 95% upper confidence levels (UCL) and are all in ppm.



Figure 2

### Metals Significantly Higher in Slag or Slag Soil



### Sources Cited

USEPA. (2013). Technical review workgroup recommendations regarding gardening and reducing exposure to lead-contaminated soils, (May), 23.  
<https://doi.org/10.1093/annonc/mdq564>